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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2817 of 1985

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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KANKUBEN ABHAIDAS VANKAR

Versus

GUJARAT STATE ROAD TRANSPORT CORPORATION,

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Appearance:

MR KG SHETH for Petitioners

MR MD PANDYA for Respondent

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CORAM : MR.JUSTICE B.C.PATEL

Date of decision: 14/08/96

ORAL JUDGEMENT

The petitioners moved an application before the Motor Accident Claims Tribunal (Main) Nadiad to attach an S.T. Bus bearing No. G.R.S. 7967 belonging to the Gujarat State Road Transport Corporation for recovery of Rs.79,380/- as the respondent Corporation failed to comply with the award passed by the Tribunal. The Tribunal dismissed the application by an order passed on 17th April 1984 and, therefore, the petitioners have filed this petition praying to quash and set aside the

said order and for a direction to the Tribunal to attach the said bus, to sell it in execution and to pay Rs.79,380/- to the petitioners from the amount so realised.

2. Mr. Pandya, learned advocate for the respondent Corporation states that as per his recollection, the Corporation has already deposited the amount with the Tribunal long back. Mr. Sheth, learned advocate for the petitioners is not in a position to deny it. In view of this, I do not see any reason to entertain this petition and this petition is required to be rejected. However, in case of difficulty, it will be open to the petitioners to revive this petition.

Rule discharged. No order as to costs.

csm./